

THE COLUMBIA DAILY PHOENIX.

\$1 a Month, in Advance. "Let our just Censure attend the true Event."—Shakspeare. Single Copies Five Cents.

By J. A. SELBY. COLUMBIA, S. C., MONDAY MORNING, MAY 29, 1865. VOL. I.—NO. 51.

THE COLUMBIA PHOENIX, PUBLISHED DAILY, EXCEPT SUNDAY, BY JULIAN A. SELBY. TERMS (SPECIE)—IN ADVANCE. SUBSCRIPTION. Six months, \$5 One month, 1 ADVERTISING. One square, (ten lines) one time, 50 cts Subsequent insertions, 35 cts

Brilliant. HEALTH. Nor love, nor honor, nor wealth, nor pow'r, Can give the heart a cheerful hour When health is lost. Be timely wise: With health all taste of pleasure flies. [Gay.]

CONTENT. Unfit for greatness, I her snares defy, And look on riches with untainted eye; To others let the glittering baubles fall, Content shall place us far above them all. [Churchill.]

POWER OF SONG. Wherewith bestirs the human spirit! Wherewith makes he the elements obey? Is't not the stream of song that out his bosom springs, And to his heart the world below brings? [Goethe.]

FAREWELL AND WELCOME. Time is like a fashionable host, That slightly shakes his parting guest by the hand; And with his arms outstretched, as he would fly, Grasps in the comer; welcome ever smiles, And farewell goes on sighing. [Shakspeare.]

SIMPLICITY. Give me a look, give me a face, That makes simplicity a grace. Robes loosely flowing, hair as free! Such sweet neglect, more lovely me, Than all the artifices of art, That strike mine eye but not my heart. [Johnson.]

BEAUTY. Beauty, sweet love, is like the morning dew, Whose short refresh upon the tender green, Cheers for a time but till the sun doth show, And straight his gone as it had never been. [Daniel.]

CHARITY. The secret that doth make a flower a flower, So frames it that to bloom is to be sweet, And to receive to give. No soil so sterile, and no living lot, So poor, but it hath somewhat still to spare In bounteous odors. [Dobell.]

LIFE. Like the falling of a star, Or as the flight of moths are; Like the fresh spring's gaily lure, Or silver drops of morning dew; Like a wind that chafes the flood, Or bubbles which on water stood—Even such is man, whose borrowed light Is straight called in, and paid at night. [Fletcher.]

THE PASTOR. Wide was his cure; the houses far asunder, Yet never failed he for rain or thunder, Whenever sickness or mischance might call, The most remote to visit great or small; And staff in hand, on foot, the storm to brave, This noble example to his flock he gave. [Chaucer.]

Secret Military Trials. There is a curious old document in existence, known as the Constitution of the United States, which formerly had the force and effect of law in that large portion of our country not specially dominated by the slave power. Under the rule of our present Cabinet, it seems to have gone out of fashion; and, since Mr. Stanton's accession to the control of the War Department, it has become practically obsolete. Loyal citizens did not much mind this while civil war convulsed

the country, threatening the permanent overthrow of our liberty and nationality; but, now that the war is practically ended, it seems high time that the old parchment were exhumed and treated with some show of respect. There being, apparently, no copy extant in the Federal City, we quote from one in our possession, for the instruction and admonition of our magnates, certain amendments proposed by the States when ratifying the instrument, which, being duly approved and adopted, became an integral part of our fundamental law—as follows:

ART. V. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall he be compelled in any criminal case to be a witness against himself, nor be deprived, without due process of law; nor shall private property be taken for public use, without just compensation.

ART. VI. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial Jury of the State and District wherein the crime shall have been committed, which District shall have been previously ascertained by law; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

ART. VII. In suits of common law, wherein the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law.

ART. VIII. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

We have made our citations full, not merely in deference to the apparent inaccessibility of the document at Washington, but because we wished every reader to see that the passages we have placed in *italics* are not garbled nor picked, but that they are of the essence and vitality of the Constitution itself. Being so, how can we justify, or excuse, or even keep silence with regard to, the military trials just initiated at Washington? A miscreant, acting in concert with other miscreants, has attempted the life of the Secretary of State, and, though his purpose was defeated, he nevertheless severely wounded Gov. Seward, his oldest son, and two or three others who nobly resisted him. Of course, this villain and his confederates should be sternly dealt with; but why not according to law? What reason, what excuse, can be urged, to justify the sending of this case before a court martial and having it tried in secret? How can such a trial be reconciled with the plain provisions of the Constitution above quoted?

As to the military trial of those who conspired with Booth to assassinate the President, and aided to achieve that fell purpose, the outrage is not quite so flagrant; but such trial is at best a blunder, while enshrouding it in secrecy is utterly indefensible. To try a doctor for his life, because he set a stranger's broken bone, and gave, or sold, or lent him a pair of crutches, may just do; but to try him in secret, allowing no report of the testimony but such as the prosecution sees fit to make, is nothing less than abominable. Two months ago, it would have been endured for the country's sake; now, there is no reason that it should be. We warn all who take any voluntary part in these strange proceedings that the rebellion is suppressed, the war at an end, and the right to suspend the privilege of *habeas corpus* and make

the will of a Secretary of War the supreme law of the land, has expired. If our present Secretary cannot be made to realize these grave truths, it is high time he had a successor; and if our Attorney-General believes the assailant of Secretary Seward now "legally triable before a Military Commission," he badly needs his own time for the completion of his legal studies, while the Government needs a different law officer. There may be pollter ways of setting forth these convictions; but none of these would do them justice.

Gentlemen of the Cabinet! the war Eastward of the Mississippi is ended; the rebellion is suppressed; the Union is re-established, and peace virtually restored; wherefore the people demand of you a speedy and thorough return to the safe and orderly ways of law and liberty. Do not compel them to speak in tones that you cannot refuse to hear!—*New York Tribune.*

Mexico the Moscow of Napoleon III.

The termination of our great war promises to bring about events that will recall to mind very forcibly that grand blunder in the career of the first Napoleon, the campaign to Moscow. Recent reports represent that the French Government is making preparations to send to Mexico, as the necessity may arise, a body of eighty thousand troops. It will want them all, and more for what the diseases of the country do not kill will hardly escape the Mexicans, reinforced, as they will be, by emigrants. Migration towards Mexico already assumes proportions that have not been equalled by any similar movement of the people since the great exodus to California in 1850; but the present is a migration that is likely to be of another character from that.

At the time the last battles were fought, the United States had in service about seven hundred thousand soldiers. The rebels at the same time had, everywhere, one hundred and fifty thousand men; and there were in the Southern States, on the computation of Davis, three hundred thousand men that had formerly been in the rebel army, but had deserted it—eleven hundred and fifty thousand men in all. There will be retained in the United States service about one hundred and fifty thousand men, and thus there will be suddenly put out of employment and thrown upon society about one million men trained to war. To these men there is suddenly opened a channel for employment—a field for new adventure and for the pursuit of the career that they have become attached to, and the promise of a wonderfully rich reward for service. Hundreds of thousands will avail themselves of this opportunity. The Southern soldiers will take it up even more eagerly than the Northern ones, as the romantic love of adventure is stronger in them, and as also it will be more difficult for them to find peaceful employment. The Mexican army of liberty will be abundantly supplied by that large number of Southern men who have nothing left but their swords. Sixty thousand such soldiers as fought the battle of Gettysburg on either side will not only annihilate any eighty thousand Frenchmen ever seen, but they will beat out of Mexico every man that France can put in it.

We will declare neutrality between the two sides. Mexican loans will be negotiated in New York just as Confederate loans were in London and Paris; and if the republicans of Mexico wish to fill the seas with privateers against French commerce, they can buy ships in our cities. And then, with French commerce driven from the seas, with the French troops, army after army, beaten out of Mexico, what will be the position of Louis Napoleon at home in Europe? It will be just the position of the first Napoleon after the Russian campaign. [New York Herald.]

The rebel ship *Stonewall* has at last made her appearance in American waters. She arrived at Nassau, in the Bahamas, on the 6th inst., from Tene-riffe, whence she sailed on the 1st of April. She is a formidable vessel, strongly iron-plated, with two stationary turrets, three heavy guns, and a solid steel-pointed beak of twenty feet in length, for ramming, projecting from her bow. Altogether she is considered a very staunch and dangerous antagonist. Her entire crew, officers and men, numbers about seventy, and everything about her presented the appearance of the best man-of-war order, neatness and rigid discipline. The *Stonewall's* officers, many of whom were on shore, sporting their rebel uniforms in the streets of Nassau, acknowledged that they were too late in getting afloat to be of any service to the Jeff. Davis cause, and admitted that the war is ended. They said she was originally intended to break the Wilmington blockade, but that now, as she could be of no use to the rebels here, she would probably be taken back to Europe and sold. She was to leave Nassau on the evening of the 7th inst., having obtained a supply of coal. One report said she was bound for Galveston; but others gave her a different destination. It was understood that our Consul at Nassau, immediately after the arrival of the *Stonewall* at that place, despatched a fast vessel for Key West, Fla., with the intelligence. [New York Herald.]

OUR FINANCES, ETC.—Our financial affairs are very rapidly coming to rights. Gold had another fall yesterday—touching 128. If it keeps descending at this rate we will soon be able to return to specie currency, and then everything in the way of eating and drinking and wearing will be down to the old prices. As gold falls, the confidence of the people in the Government is splendidly exemplified by the manner in which they are taking up the seventy-third loan. Seventeen millions were contributed in one day, and probably in the entire week the subscriptions will reach fifty or sixty millions. Under these circumstances the finances of the country must be regarded as in a very flourishing condition, considering that we have barely emerged from a vast and expensive war.

The Government is exhibiting a very liberal spirit in hastening the return of the country to its former channels of commerce. The removal of the tax of three per cent on commodities shipped to the Southern ports will give an immense stimulus to exportation from the Northern and Western cities, which is now rendered free from all obstacles by the opening of trade with the South by President Johnson's proclamation. Things will soon be taking into line, and marching to the old measure of commercial progress. In a briefer period than people dreamed of the effects of the war will have materially diminished, and unrestrained prosperity will be with us once again.—*New York Herald.*

Personal.

INFORMATION concerning Captain W. W. FICKLING, Brooks' Artillery, attached to Pickett's Division, at Petersburg, is desired at this office. May 27 3

By Jacob Cohen.

AT PRIVATE SALE, 1 PIANO, (excellent quality), 3 fine CARPETS, 7 MATTRESSES, 1 lot CHINA and GLASS, 3 WASH TUBS, 2 TIN BUCKETS, 1 large Leather Easy Chair, 1 small Rocking Chair, 2 Pitchers and 1 Basin, 1 Chamber and 1 Washstand, 1 Pine Bookcase, 1 Pine Wardrobe, 4 Pine Bunks, 1 Mahogany Dining Table. May 28 3

Bakery and Confectionery.

L. SHODAK and W. STIEGLITZ have opened their BAKERY, CONFECTIONERY and CRACKER MANUFACTORY. Also, on hand a fine assortment of CHEWING and SMOKING TOBACCO, SCOTCH and M. COBBOY SNUFF, CIGARS, PIPES, &c., at Messrs. Cooper & Galt's old stand. May 28 6

The old North State seems to be wheeling back into the Union in good earnest. Large and enthusiastic Union meetings have been held in Goldsborough, Snow Hill, Kinston, Smithfield, Wilson and many other places. Prominent men in all the counties are taking an active part in this movement, and the leading papers of the State are heartily supporting it. The decision of the Government not to recognize Gov. Vance is generally approved by the Unionists. W. W. Holden, the editor of the *Raleigh Standard*, seems to be selected by the majority of the Unionists as their candidate for Governor. The discussion of slavery is yet avoided in the Union papers and meetings; but the *Standard*, the chief organ of the Unionists, declares that it regards the question as settled; that the institution of slavery is gone; that it could not save the institution if it would. It is safe to say that this view will be generally concurred in by the party, and there is good reason for hoping that gradually the anti slavery sentiment may also increase in strength, and that North Carolina, on the meeting of its Convention, will follow the example of Maryland, West Virginia, Missouri, Tennessee and Louisiana, and adopt the constitutional amendment abolishing slavery.—*New York Tribune.*

AUCTION SALES.

Beautiful China, Glassware, Household Utensils, &c.

By Durbin & Walter.

Will be sold THIS DAY, at our office, on Assembly street, the following articles:— Lot beautiful imitation Marble Ware, splendid China Dishes, Plates, Cups and Saucers, Sugar Dish, Milk Pitcher, Wine Glasses, Tumblers, Glass Dishes, Pickle Dishes, Mugs, Bed Pan, &c. ALSO, Coffee, Black Pepper, Almonds, in lots to suit purchasers; Ground Ginger, Almonds, Blue-stone, Gold Watch, 2 Caskets, 2 Rings, Clock, Table, Shoe-Thread, Clothing, Shoemaker's Tools, Carpenter's Tools, Bureau, Cupboard, &c. May 29

Headqrs United States Forces, CITY OF COLUMBIA, S. C., May 26, 1865.

CIRCULAR.

THE following circular from Headquarters Northern District Department of the South, dated at Orangeburg, S. C., May 25, 1865, is published for the information and guidance of the planters of this District. By command of N. HAUGHTON, Lieut. Col. 25th Reg't O. V. V. I., Com'r U. S. Forces, City of Columbia, S. C. W. J. KYLE, Lieut. 25th O. V. V. I. and Post Adjutant.

HEADQRS NORTHERN DISTRICT, DEPARTMENT OF THE SOUTH, ORANGEBURG, S. C. May 25, 1865.

CIRCULAR.

To the Planters of South Carolina Residing within the District. You are invited, after taking the oath of allegiance to the United States Government prescribed by the President of the United States, in his proclamation of December 8, 1863, to make equitable contracts for labor with the freedmen. Such contracts, approved by the commander of the nearest military post, will be considered binding on both parties, and will be enforced by the military authorities as far as the exigencies of the service will allow. The contract will set forth in words the freedom of the laborer.

Where the freedman is, from age or infirmity, unable to labor and without natural protector, his support will devolve upon the Parish to which he belongs.

The citizens of each Parish are requested to meet and devise some method for providing for such persons; and until such provision is made, they will remain on, and draw their support from, the plantations where they now are. (Signed,) JOHN P. HATCH, Brig. Gen. Commanding.

Official: (Signed,) EDGAR B. VAN WINKLE, Capt. and A. D. C. May 27 3

Passage to the Up Country.

HAVING two good boats, I will commence running a FRI WEEKLY LINE to and from Columbia to Alston and Shelton's Ferry, every Monday, Wednesday and Friday. Passengers will be carried to either point, at reasonable rates, payable in specie or provisions. For freight or passage, apply on board, at Geiger's Mill. May 25 L. J. HANCOCK.